

**CATEGORICAL EXCLUSION CHECKLIST****Date:** September 10, 2018**Applicant/Proposing Agency:** Weber Basin Water Conservancy District

<b>PROJECT:</b> Weber Basin Project		<b>FEATURE:</b> Davis Aqueduct		
<b>NATURE OF ACTION:</b> Weber Basin Water Conservancy District (WBWCD) needs to complete geotechnical testing to inform the new alignment for a parallel pipeline that will supplement the Davis Aqueduct when maintenance is required. As part of the evaluation, soil samples must be collected and analyzed in addition to a 335 ft x 8 ft fault trench that will demonstrate seismic activity in the area.				
<b>EXCLUSION CATEGORY:</b> 516 DM 14.5, B (3): Data collection studies that involve test excavations for cultural resources investigations or test pitting, drilling, or seismic investigations for geologic exploration purposes where the impacts will be localized.				
<b>EVALUATION OF CRITERIA FOR CATEGORICAL EXCLUSION</b>		No	Yes	Uncertain
1.	This action or group of actions would have a significant effect on the quality of the human environment. (40 CFR 1502.3)	X		
2.	This action or group of actions would have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources. (NEPA Section 102(2)(E) and 43 CFR 46.215)	X		
<b>EVALUATION OF EXCEPTIONS TO ACTIONS WITHIN CATEGORICAL EXCLUSION</b>				
1.	This action would have significant adverse effects on public health or safety. (43 CFR 46.215 (a))	X		
2.	This action would have an adverse effect on unique geographical features such as: wetlands, Wild or Scenic Rivers, or Scenic Rivers, refuges, floodplains, rivers placed on the Nationwide River Inventory, or prime or unique farmlands. (43 CFR 46.215 (b))	X		
3.	This action would have highly uncertain environmental effects or involve unique or unknown environmental risk. (43 CFR 46.215 (d))	X		
4.	This action would establish a precedent for future actions. (43 CFR 46.215 (e))	X		
5.	This action would have a direct relationship to other actions with individually insignificant, but cumulatively significant effects. (43 CFR 46.215 (f))	X		
6.	This action would affect properties listed, or eligible for listing in the National Register of Historic Places. (43 CFR 46.215 (g))	X		
7.	This action would adversely affect a species listed, or proposed to be listed, as endangered or threatened. (43 CFR 46.215 (h))	X		
8.	This action would violate federal, state, local or tribal law or requirements imposed for protection of the environment. (43 CFR 46.215 (i))	X		
9.	This action would affect Indian trust assets. (S.O. 3175; 1993 Reclamation Policy Memorandum)	X		
10.	This action would not accommodate access to or allow ceremonial use of Indian sacred sites by Indian religious practitioners to the extent practicable. Neither will it avoid adversely affect, to any practicable extent, the physical integrity of such sacred sites. (E.O. 13007, 43 CFR 46.215 (k))	X		
11.	This action will disproportionately affect minority or low-income populations. (E.O. 12898, 43 CFR 46.215 (j))	X		
12.	This action would contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species. (Federal Noxious Weed Control Act, E.O. 13112, and 43 CFR 46.215 (l))	X		
<b>NEPA ACTION TAKEN:</b>				
<p><u>X</u> CE Checklist - The proposed action meets the criteria, as defined in 43 CFR 46.215, and qualifies as a categorical exclusion. The action will not significantly affect the quality of the human environment. It is excluded from documentation in an Environmental Assessment (EA) or Environmental Impact Statement (EIS).</p> <p>— The proposed action does not meet the criteria for a categorical exclusion. Further environmental review and analysis is required. The following environmental document should be prepared:</p> <p>EA _____</p> <p>EIS _____</p>				

**EXPLANATION OF PROPOSED ACTION, ENVIRONMENTAL COMMITMENTS AND/OR REMARKS:**

Weber Basin Water Conservancy District (WBWCD) needs to complete geotechnical testing to inform the new alignment for a parallel pipeline that will supplement the Davis Aqueduct when maintenance is required. As part of the evaluation, soil samples must be collected and analyzed in addition to a 335 ft x 8 ft fault trench that will demonstrate seismic activity in the area.

No threatened or endangered species would be affected by this project.  
No archeological resources would be affected by this project.

In the case that bald and/or golden eagles are observed within the project area and vicinity, Reclamation's Provo Area Office wildlife biologist shall be notified and construction in the area shall cease until an assessment of eagle presence can be made by a professional wildlife biologist. The Bald and Golden Eagle Protection Act prohibits anyone, without a permit issued by the Secretary of the Interior, from "taking" eagles, including their parts, nests, or eggs. The Act defines "take" as pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb. "Disturb" means: "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior." In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagle's return, such alterations agitate or bother an eagle to a degree that interferes with or interrupts normal breeding, feeding, or sheltering habits, and causes injury, death or nest abandonment.

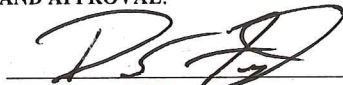
Bureau of Reclamation archaeologist Carley Smith completed a Class I literature search for the project on August 1, 2019 and conducted a Class III Inventory of the APE on August 2, 2019. The project is exempt from SHPO review under Appendix A. II. 1 of the 2017 Programmatic Agreement between the Bureau of Reclamation and the Utah State Historic Preservation Officer. The project will result in No Historic Properties Affected. In the event that any cultural site, feature, or artifact (historic or prehistoric) is discovered on Federal land, whether on the surface or as an inadvertent subsurface discovery, it shall immediately be reported to the Provo Area Office Archaeologist. Construction in the area of discovery shall cease until an assessment of the cultural material and an evaluation to determine appropriate actions to prevent loss of significant cultural or scientific value can be made by a professional archaeologist.

Any person who knows or has reason to know that he/she has inadvertently discovered possible human remains on Federal land, he/she must provide immediate telephone notification of the discovery to Reclamation's Provo Area Office archaeologist. Work will stop until the proper authorities are able to assess the situation onsite. This action will promptly be followed by written confirmation to the responsible Federal agency official, with respect to Federal lands. The appropriate State Historic Preservation Office and interested Native American tribal representatives will be promptly notified. Consultation will begin immediately. This requirement is prescribed under the Native American Graves Protection and Repatriation Act (43 CFR Part 10); and the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470).

The applicant/proposing agency shall notify the Provo Area Office's Environmental Group Chief at (801) 379-1000, fourteen (14) days in advance of its intent to commence any ground disturbing activities for this project.

**CONCURRENCE AND APPROVAL:**

Prepared By:



Date:

9/10/19

Concur with Item 6:



Date:

9/10/2019

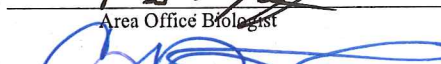
Concur with Item 7:



Date:

9/10/19

Concur with Item 9:



Date:

9/10/2019

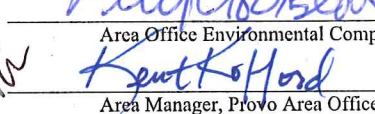
Recommended By:



Date:

9/11/2019

Approved By:

  
Area Manager, Provo Area Office

Date:

9/11/19



Class III Cultural Resources Inventory Area





